

Docket No. ET00-005CIP

DEC 06 2006

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: the Application of: Conklin et al

Examiner: Susanna MeineckeDiaz

Filed: 10/30/00

Art Unit: 3623

Serial No.: 09/702,050

For: System and Method for Contract Authority

Docket No: ET00-005CIP

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

Petition to Expedite under 37CFR 1.182 and Authorization to charge deposit account

Sir:

Applicants respectfully request that the enclosed Petition to Revive a Patent Abandoned Unintentionally be expedited.

Applicants' hereby authorize the Commissioner to charge the fee of \$400 for this Petition to Expedite and the fee of \$1,500 for the Petition to Revive to Applicants' attorney's deposit account Number 501696.

Respectfully submitted,

Maureen Stretch

Maureen Stretch

26 Charles Street

Natick, MA 01760

Reg. No.: 29,447

Cust. No. 27,443

Certificate of Facsimile Transmission

I hereby certify that this document is being sent to the United States Patent Office by facsimile transmission on the date shown below.

Date: December 6, 2006

Maureen Stretch

Maureen Stretch,

Reg. No. 29,447

26 Charles Street

Natick, MA 01760

Tel. 508 653-8143

12/08/2006 AWONDAF1 00000093 501696 09702050

01 FC:1462 400.00 DA

FAX COVER SHEET**MAUREEN STRETCH**

Attorney at Law

26 Charles Street
Natick, MA 01760Phone:
Fax: 508-651-9932*ET00-005 CV*
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Send to:	Commissioner for Patents
Attention:	Mail Stop Petition
Office location:	P.O.Box 1450, Alexandria VA 22313-1450
Fax number:	571-273-8300
From:	Maureen Stretch
Client/Matter	Application Serial. NO. 09/702,050
Date:	12/06/06

TOTAL PAGES, INCLUDING COVER: 6

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Petition for Revival of an Application for Patent Unintentionally Abandoned	2 pages
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COMMENTS:

- ✓ Original will not follow
Original will follow by: US mail
Please call upon receipt
Response needed by:
For your approval/suggestions

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DEC 06 2006

PTO/SB/84 (08-08)

Approved for use through 03/31/2007, OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

ET00-005 CIP

First named Inventor:

CONNOLLY ET AL

Application No.:

09/702,050

Art Unit:

3623

Filed:

10/30/00

Examiner:

SUSANNA DIAZ

Title:

System & Method for Contract
AUTHORITY

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of _____ (identify type of reply):

☐ has been filed previously on _____
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,370.00.

☒ has been paid previously on 12/1/2004
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/08/2006 AWONDAF1 00000093 501696 09702050

02 FC:1453 1500.00 DA

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PTO/SB/54 (08-08)

Approved for use through 03/31/2007. OMB 0861-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/83).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Maureen Stretch
Signature

12/6/06
Date

MAUREEN STRETCH
Typed or printed name

29,447
Registration Number, if applicable

26 CHARLES ST
Address

508-653-8143
Telephone Number

NATICK MA 01760
Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☒ Other: Petition to Expedite Petition to Reissue to Auth. & Change Dep

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

12/6/06
Date

Maureen Stretch
Signature
MAUREEN STRETCH
Typed or printed name of person signing certificate

(Page 2 of 2)

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Art Unit: 3623

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Additional Sheets Establishing Unintentional delay

Sir:

Applicants paid the issue fee of \$1,370.00 for a large entity for this application on December 1, of 2004, but then withdrew it from issue in 2005 for consideration of additional art under a Request for Continued Examination in 2005.

This application was allowed again in 2006 and Applicant's attorney authorized the payment of \$30 for the balance due for a large entity on May 30, 2006. At the time this was sent, applicant's attorney's deposit account had a balance of \$200 which was more than sufficient for the fee due for this and for a co-pending application.

For some reason applicants' attorney does not understand, the Office erroneously attempted to charge Applicants' attorney's deposit account \$910 for the issue fee for the co-pending application, and since there was not that amount in the account, that application was deemed abandoned. Someone in the Office called applicants' attorney in June for this application and indicated that the balance in the deposit account was negative. Applicants' attorney replenished the deposit account on June 30, in the amount of \$2,400, in time for this fee to be paid for this application, and called the individual to indicate that the account now had sufficient funds. However, no one applied the funds to the payment and this application was held abandoned. However, fees for two other co-pending applications were accepted on August 1, 2006 and Oct. 26, 2006, but processed in two different ways.

Applicants respectfully request that this application be revived.

Respectfully submitted,



Maureen Stretch
26 Charles Street
Natick, MA 01760
Reg. No.: 29,447
Cust. No. 27,443

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Maureen Stretch

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